

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTOINE DESHAWN BARNES,

Petitioner,

v.

ROSEMARY OROZCO, et al.,

Respondents.

No. 2:25-cv-0863 WBS CSK P

ORDER & FINDINGS &
RECOMMENDATIONS

I. INTRODUCTION

Petitioner, a county prisoner proceeding without counsel, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with an application to proceed in forma pauperis. Examination of the in forma pauperis application reveals that petitioner is unable to afford the costs of suit. Accordingly, the application to proceed in forma pauperis is granted. See 28 U.S.C. § 1915(a).

Rule 4 of the Rules Governing Habeas Corpus Cases Under Section 2254 provides for summary dismissal of a habeas petition “[i]f it plainly appears from the face of the petition and any exhibits annexed to it that the petitioner is not entitled to relief in the district court.” For the following reasons, this Court finds that it is plain from the petition that petitioner is not entitled to federal habeas relief because petitioner’s claims are barred by the Younger abstention doctrine. See Younger v. Harris, 401 U.S. 37 (1971). Accordingly, the petition should be dismissed.

II. LEGAL STANDARDS

The Younger abstention doctrine “is grounded in a ‘longstanding public policy against federal court interference with state court proceedings.’” Herrera v. City of Palmdale, 918 F.3d 1037, 1043 (9th Cir. 2019) (quoting Younger, 401 U.S. at 43). “A federal court may abstain under Younger in three categories of cases: (1) parallel, pending state criminal proceedings, (2) state civil proceedings that are akin to criminal prosecutions, and (3) state civil proceedings that implicate a State’s interest in enforcing the orders and judgments of its courts.” Herrera, 918 F.3d at 1043 (internal quotation marks omitted).

Abstention under Younger is required when: (1) there is an ongoing state judicial proceeding; (2) the proceeding implicates important state interests; (3) there is an adequate opportunity in the state proceedings to raise constitutional challenges; and (4) the requested relief seeks to enjoin or has the practical effect of enjoining the ongoing state judicial proceeding. See Duke v. Gastelo, 64 F.4th 1088, 1094 (9th Cir. 2023); see also Middlesex County Ethics Comm. v. Garden State Bar Ass’n, 457 U.S. 423, 432 (1982); Ohio Civil Rights Comm’n v. Dayton Christian Schs., Inc., 477 U.S. 619, 627 (1986).

III. DISCUSSION

The grounds of the petition are difficult to understand. Petitioner is incarcerated in the Amador County Jail. Petitioner claims he is being held pursuant to an “illegal unsupervised mental health hold.” (ECF No. 1 at 2.) In support of this claim, petitioner cites exhibits A and B attached to the petition. (Id. at 3.) Exhibit A includes a copy of an Incident Report charging petitioner with three Amador County Jail rule violations based on an incident occurring on February 27, 2025. (Id. at 13.) Attached to Exhibit A is a copy of a Supplemental Report stating that on March 1, 2025, petitioner was found to have committed the acts charged in the Incident Report dated February 27, 2025. (Id. at 14.) As punishment, petitioner received four weeks of television restriction. (Id.) Attached to Exhibit B is a copy of another Incident Report describing an incident involving petitioner on February 20, 2025 in the Amador County Jail. (Id. at 16.) This report states that petitioner is in custody in the Amador County Jail “for a Mule Creek case that entails assaulting Officers.” (Id.) The Amador County Jail Correctional Officer who

1 prepared this Incident Report recommended that petitioner be reclassified as maximum security.
2 (Id.)

3 Based on the claims in the petition and exhibits attached to the petition, it appears that
4 petitioner challenges either ongoing criminal proceedings, i.e., the Mule Creek case involving
5 allegations that petitioner assaulted officers, and/or proceedings addressing petitioner's
6 competency related to the ongoing state criminal proceedings.

7 **A. Claims Challenging Ongoing Criminal Proceedings**

8 For petitioner's claims challenging the ongoing state criminal proceedings, the first
9 requirement for abstention under Younger appears present as the exhibits attached to the petition
10 indicate that there are ongoing state criminal proceedings. See Middlesex County Ethics Comm.,
11 457 U.S. at 432. The second requirement for abstention under Younger is met because the
12 pending state judicial proceedings involve an important state interest as they are ongoing criminal
13 proceedings. See Kelly v. Robinson, 479 U.S. 36, 49 (1986) (citing Younger, 401 U.S. at 44-45)
14 ("This Court has recognized that the States' interest in administering their criminal justice
15 systems free from federal interference is one of the most powerful of the considerations that
16 should influence a court considering equitable types of relief."). The third requirement for
17 abstention under Younger is satisfied because petitioner does not demonstrate that the state
18 proceedings do not "afford an adequate opportunity to raise the constitutional claims..."
19 Middlesex County Ethics Comm., 457 U.S. at 432 (quoting Moore v. Sims, 442 U.S. 415, 430
20 (1979)); Herrera, 918 F.3d at 1046 (the burden is on petitioner to show that state procedural law
21 bars presentation of their claims); Kugler v. Helfant, 421 U.S. 117, 124 (1975) ("[O]rdinarily a
22 pending state prosecution provides the accused a fair and sufficient opportunity for vindication of
23 federal constitutional rights."). The fourth requirement for abstention under Younger is met
24 because petitioner appears to seek to enjoin the ongoing state criminal proceedings.

25 "[E]ven if Younger abstention is appropriate, federal courts do not invoke it if there is a
26 'showing of bad faith, harassment or some other extraordinary circumstances that would make
27 abstention inappropriate.'" Arevalo v. Hennessy, 882 F.3d 763, 765-66 (9th Cir. 2018) (quoting
28 Middlesex County Ethics Comm., 457 U.S. at 435). Petitioner fails to demonstrate an

1 extraordinary circumstance that would make abstention inappropriate regarding his claims
2 challenging the ongoing criminal proceedings. Accordingly, petitioner's claims challenging the
3 ongoing criminal proceedings against him are barred by the Younger abstention doctrine.

4 **B. Claims Challenging Competency Proceedings**

5 For petitioner's claims challenging ongoing competency proceedings, apparently related
6 to the pending state criminal charges, the first requirement for Younger abstention appears
7 present based on petitioner's claim that he is being held pursuant to an "illegal unsupervised
8 mental health hold." See Middlesex County Ethics Comm., 457 U.S. at 432. The second
9 requirement for Younger abstention is met because competency proceedings are "quasi-criminal
10 proceeding[s] that strongly implicate[] the state's interest in enforcing its orders." Martin v.
11 Rains, 2020 WL 2395212, at *2 (C.D. Cal. May 11, 2020). The third requirement for abstention
12 under Younger is satisfied because petitioner does not demonstrate that the competency
13 proceedings do not "afford an adequate opportunity to raise the constitutional claims." Middlesex
14 County Ethics Comm., 457 U.S. at 432 (quoting Moore, 442 U.S. at 430). Petitioner may
15 challenge an incompetency finding by way of a direct appeal. See Elkins v. Bianco, 2024 WL
16 4468029, at *3 (C.D. Cal. Aug. 22, 2024), findings and recommendations adopted, 2025 WL
17 487601 (C.D. Cal. Feb. 7, 2025) (citing People v. Fields, 62 Cal. 2d 538, 540 (Cal. 1965) (an
18 order committing a defendant charged with a crime for treatment until restored to mental
19 competency is appealable)). The fourth requirement for abstention under Younger is met because
20 petitioner appears to seek to enjoin the ongoing state competency proceedings.

21 Petitioner fails to demonstrate an extraordinary circumstance that would make abstention
22 inappropriate regarding his claims challenging the competency proceedings. See Arevalo, 882
23 F.3d at 765-66. Accordingly, petitioner's claims challenging the competency proceedings, related
24 to the pending state criminal charges, are barred by the Younger abstention doctrine. See Bark v.
25 Patton State Hosp., 2019 WL 5580972, at *8-9 (C.D. Cal. Sept. 24, 2019), findings and
26 recommendations adopted, 2019 WL 5579536 (C.D. Cal. Oct. 29, 2019) (Younger abstention
27 applicable where petitioner had been found to be mentally incompetent to stand trial and
28 committed to a state hospital because the criminal case "has been paused while petitioner remains

committed in the state hospital” and state criminal proceedings remain ongoing).

IV. CONCLUSION

For the reasons discussed above, this Court finds that the claims raised in this action are barred by the Younger abstention doctrine. This action should be dismissed.

Accordingly, IT IS HEREBY ORDERED that petitioner’s motion to proceed in forma pauperis (ECF No. 6) is granted; and

IT IS HEREBY RECOMMENDED that this action be dismissed.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, petitioner may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” If petitioner files objections, he shall also address whether a certificate of appealability may issue and, if so, why and as to which issues. A certificate of appealability may issue under 28 U.S.C. § 2253 “only if the applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(3). Petitioner is advised that failure to file objections within the specified time may waive the right to appeal the District Court’s order. See Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: 05/01/25



CHI SOO KIM
UNITED STATES MAGISTRATE JUDGE

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